

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SANDISK CORPORATION,

Plaintiff,

vs.

LUCENT TECHNOLOGIES INC. and
ALCATEL-LUCENT, S.A.,

Defendants.

Case No. C 07-03618 JF

Honorable Jeremy Fogel

**DECLARATION OF MICHAEL P. STADNICK
IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS OR STAY**

I, Michael P. Stadnick, declare as follows:

1. I am an attorney and a partner in the law firm of Kirkland & Ellis LLP, counsel for defendants Lucent Technologies Inc. and Alcatel-Lucent, S.A. If called to testify as a witness, I could and would competently testify to the truth of each statement herein.

2. Attached hereto as Exhibit A is a true and correct copy of the Special Verdict Form in Case No. 02CV2060-B(CAB) (consolidated with Case No. 03CV0699B(CAB) and Case No. 03CV1108-B(CAB) (S.D. Cal.)), dated February 22, 2007.

3. Attached hereto as Exhibit B is a true and correct copy of the Order On Microsoft's Motions For Judgment As A Matter Of Law And New Trial And Lucent's Motion To Alter Or Amend The Judgment Regarding U.S. Patent Nos. 5,341,457 And RE 39,080 in Case No. 02CV2060-B(CAB) (consolidated with Case No. 03CV0699B(CAB) and Case No. 03CV1108-B(CAB) (S.D. Cal.)), dated August 6, 2007.

4. Attached hereto as Exhibit C is a true and correct copy of the Amended And Superceding Partial Judgment Regarding U.S. Patent Nos. 5,341,457 And RE 39,080 Only Following Summary Judgment, Jury Trial And Post-Trial Motions in Case No. 02CV2060-B(CAB)


1 (consolidated with Case No. 03CV0699B(CAB) and Case No. 03CV1108-B(CAB) (S.D. Cal.)),
2 dated August 6, 2007.

3 5. Attached hereto as Exhibit D is a true and correct copy of the Order And Partial
4 Judgment Under FRCP 54(b) Regarding U.S. Patent Nos. 5,341,457 And RE 39,080 Only Following
5 Summary Judgment And Jury Trial in Case No. 02CV2060-B(CAB) (consolidated with Case No.
6 03CV0699B(CAB) and Case No. 03CV1108-B(CAB) (S.D. Cal.)), dated April 30, 2007.

7 6. Attached hereto as Exhibit E is a true and correct copy of the Docketing Statement
8 filed by Lucent Technologies Inc. in Appeal No. 2007-1456 (Fed. Cir.), dated September 25, 2007.

9 7. Attached hereto as Exhibit F is a true and correct copy of the Docketing Statement
10 filed by Microsoft Corporation in Appeal No. 2007-1456 (Fed. Cir.), dated September 25, 2007.

11
12 I declare under penalty of perjury under the laws of the United States that the foregoing is
13 true and correct and that this declaration was executed on this 12th day of October 2007 at New
14 York, New York.

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16 By: 

17 Michael P. Stadnick
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